

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Part 8.2 (commencing with Section 37900) is added to Division 13 of the Water Code, to read:

PART 8.2. Paso Robles Basin Water District

CHAPTER 1. General Provisions

37900.

(a) For purposes of this part, “district” means the Paso Robles Basin Water District, the boundaries of which shall be established and may be modified by the San Luis Obispo County Local Agency Formation Commission.

(b) This part shall apply only to the Paso Robles Basin Water District.

37902.

The Legislature finds and declares that the provisions of this part are enacted in order to provide a governmental framework for the district to balance the supply to and consumption of groundwater within the basin underlying the district, and thereby pursue stabilizing that basin and sustaining its resources for the beneficial use of all who use water within the district.

37904.

The creation of the district is not intended to and shall not modify the powers of the County of San Luis Obispo and the San Luis Obispo County Flood Control and Water Conservation District, carried out consistent with applicable law, to manage and protect groundwater resources within the County of San Luis Obispo, including the Paso Robles Groundwater Basin.

CHAPTER 2. Elections

37910.

Notwithstanding any other law or the bylaws of the district, all elections for the board of directors of the district shall be conducted in accordance with this part.

37912.

The composition of the board of directors shall be as follows:

(a) There shall be a total of nine ~~directors, each of whom shall be qualified for office by being a person who holds title to land within the district or a person authorized to vote in elections by landowners as provided in Section 37916~~directors. A person may only be a candidate for one director.

(b) Six of the directors shall be qualified for office by being persons who hold title to land within the district or persons authorized to vote in elections by landowners as provided

in Section 37916. Each director shall be elected by landowners within the district as provided by Article 1 (commencing with Section 35003) of Chapter 1 of Part 4, except that each voter shall be entitled to cast one vote for each acre owned by the voter within the district. If the voter owns less than one acre, the voter shall be entitled to one vote and any fraction shall be rounded to the nearest full acre.

(1) For the purposes of election of the six directors described by this subdivision, landowners within the district shall be divided into three classes as follows:

(A) "Large landowners," meaning holders of title owning a total of 400 acres or more.

(B) "Medium landowners," meaning holders of title owning a total of 40 acres or more but less than 400 acres.

(C) "Small landowners," meaning holders of title owning a total of less than 40 acres of land.

(2) Of the six directors elected pursuant to this subdivision, large landowners shall elect two directors, medium landowners shall elect two directors, and small landowners shall elect two directors.

(3) Candidates for the six directors elected pursuant to this subdivision may be within any landowner class.

(c) Three of the directors shall be elected by registered voters within the district at large.

(d) (1) All directors, ~~whether~~ qualified under subdivision (b) ~~or (c)~~, shall reside within the district, within two miles of the district boundary, or within the boundaries of the City of Paso Robles, the Atascadero Mutual Water Company, the Templeton Community Services District, the San Miguel Community Services District, or the San Luis Obispo County Service Area 16. (2) All directors qualified under subdivision (c) shall reside within the district.

37914.

District elections shall be conducted in conformance with the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code) and the laws generally applicable to districts created and operated pursuant to this division, provided the following shall apply:

(a) Separate ballots shall be prepared and separate elections shall be conducted for those director positions which will be elected by resident voters and for those which will be elected by landowner voters. Notwithstanding Section 10555 of the Elections Code,

these landowner voter elections and resident voter elections shall be conducted simultaneously.

(b) District elections may be conducted by all-mailed ballots pursuant to Section 4108 of the Elections Code. Separate voter lists of resident voters and landowner voters eligible to vote within the district shall be prepared and maintained according to applicable provisions of law, including Section 10525 of the Elections Code. Separate all-mailed ballot elections shall be held for the directors to be elected by resident voters and for those to be elected by landowner voters.

(c) The directors elected upon formation of the district shall hold office pursuant to Section 10505 of the Elections Code. For the purposes of implementing this section, the director positions elected by large landowners shall be divided into two director term classes, the directors elected by medium landowners shall be divided into two director term classes, the directors elected by small landowners shall be divided into two director term classes, and the directors elected by registered voters shall be divided into two director term classes.

(d) Elections of directors shall be held on the first Tuesday after the first Monday in October of each odd-numbered year.

(e) The voters list used for the purpose of an election of directors shall be based upon the last assessment roll prepared by the county assessor, which shall be conclusive evidence of ownership and the acreage for ~~purpose of carrying out the election purposes of electing directors in accordance with subdivision (b) of Section 37912~~. The voters list shall be amended if satisfactory evidence of a change in ownership is presented at least 45 days prior to the election to the elections official in the case of the formation election, and thereafter to the district secretary. The county assessor shall be ~~compensated~~ reimbursed by the district for all costs incurred in determining the ownership and acreage information and providing the information to the county clerk.

(f) For the purposes of the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code), the district is a landowner voting district.

37916.

Notwithstanding any other provision of this division or the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code), election participation by landowners as provided in subdivision (b) of Section 37912 shall be carried out as follows:

(a) If the holder of title is a trust, any trustee of the trust may vote on behalf of the trust.

(b) If the holder of title is a corporation, the president, vice president, secretary, or other duly designated officer may vote on behalf of the corporation.

(c) If the holder of title is a limited liability company, any managing member may vote on behalf of the limited liability company.

(d) An officer or partner with managerial responsibilities of a legal entity not listed in subdivisions (a) to (c), inclusive, may vote on behalf of the entity.

CHAPTER 3. Groundwater Management

37920.

The district shall have the authority afforded to local agencies as provided in Part 2.75 (commencing with Section 10750) of Division 6, as that part may be amended, consistent with the requirements and limitations of applicable law.